

# **Exhibit 3**

1 UNITED STATES DISTRICT COURT  
2 NORTHERN DISTRICT OF CALIFORNIA  
3 SAN FRANCISCO DIVISION  
4 CASE NO. 3:07-CV-05944-SC  
5 MDL NO. 1917

6 IN RE: CATHODE RAY TUBE (CRT)  
7 ANTITRUST LITIGATION

8 \_\_\_\_\_  
9 This Document Relates to:  
10 ALL ACTIONS  
11 \_\_\_\_\_/

12 Kenny Nachwalter, P.A.  
13 201 South Biscayne Boulevard  
14 Suite 1100  
15 Miami, Florida 33131  
16 Tuesday, November 4th, 2014  
17 12:58 p.m. - 1:45 p.m.

18 DEPOSITION OF PATRICK BARRETT  
19 as 30(b)(6) representative of Hitachi, Ltd.

20 Taken before Beverly Bourlier James,  
21 Registered Professional Reporter, Certified Realtime  
22 Reporter and Notary Public in and for the State of  
23 Florida at Large, pursuant to Notice of Taking  
24 Deposition filed in the above-mentioned cause.  
25

1 MR. RANDALL: So, Elliott, you agree to  
2 stipulate to the witness being sworn in remotely  
3 and that the witness is who he says he is?

4 MR. ADELSON: I do.

5 THEREUPON:

6 PATRICK BARRETT  
7 called as a witness on behalf of the Plaintiffs  
8 herein, duly sworn and responding "Yes," was examined  
9 and testified as follows:

10 MR. ADELSON: Before we begin, there are a  
11 couple things we should put on the record here.

12 MR. RANDALL: Go ahead.

13 MR. ADELSON: The first is that the  
14 witness here is Mr. Patrick Barrett. He is the  
15 senior vice president and general counsel of  
16 Hitachi America who will be testifying on behalf  
17 of Hitachi, Ltd., and you and I have discussed and  
18 you have agreed that by offering a witness who is  
19 in-house counsel to Hitachi America we are in no  
20 way waiving any privilege. None of the questions  
21 that you will be asking today seek privileged  
22 information nor will we be providing any  
23 privileged information. And just wanted to put  
24 that on the record and get your agreement that  
25 that is our agreement.

1 Electronic Devices (USA), Inc. to increase or  
2 decrease prices for the CRTs sold by Hitachi  
3 Electronic Devices (USA), Inc.?

4 A. No.

5 Q. During the relevant period, did Hitachi  
6 Displays, Ltd. have the ability to determine or  
7 modify budgetary decisions made by Hitachi Electronic  
8 Devices (USA), Inc.?

9 A. No.

10 Q. Between January 1, 1995 and September 30,  
11 2002, what was the percentage amount, if any, of  
12 Hitachi, Ltd.'s ownership share in Shenzhen SEG  
13 Hitachi Color Display Devices, Ltd.?

14 A. Hitachi, Ltd. had a 25 percent ownership  
15 share in Shenzhen SEG Hitachi Color Display Devices,  
16 Ltd. from January 1, 1995 to September 30, 2002.

17 Q. Between October 1, 2002 and November 7,  
18 2007, what was the percentage amount, if any, of  
19 Hitachi, Ltd.'s ownership share in Shenzhen SEG  
20 Hitachi Color Display Devices, Ltd.?

21 A. Hitachi, Ltd. had no ownership share of  
22 Shenzhen SEG Hitachi Color Display Devices, Ltd. from  
23 October 1, 2002 to November 7, 2007.

24 Q. Between October 1, 2002 and November 7,  
25 2007, what was the percentage amount, if any, of

1 Hitachi Display, Ltd.'s ownership share in Shenzhen  
2 SEG Hitachi Color Display Devices, Ltd.?

3 A. Hitachi Displays, Ltd. had a 25 percent  
4 ownership share in Shenzhen SEG Hitachi Color Display  
5 Devices, Ltd. from October 1, 2002 to November 7,  
6 2007.

7 Q. When, if ever, did Hitachi, Ltd. sell its  
8 ownership share in Shenzhen SEG Hitachi Color Display  
9 Devices, Ltd.?

10 A. Hitachi, Ltd.'s Display Group was spun off  
11 to form Hitachi Displays, Ltd. on October 1, 2002.  
12 At that time, Hitachi, Ltd.'s ownership share in  
13 Shenzhen SEG Hitachi Color Display Devices, Ltd. was  
14 transferred to Hitachi Displays, Ltd.

15 Q. When, if ever, did Hitachi Displays, Ltd.  
16 sell its ownership share in Shenzhen SEG Hitachi  
17 Color Display Devices, Ltd.?

18 A. Hitachi Displays, Ltd. sold its minority  
19 ownership share in Shenzhen SEG Hitachi Color Display  
20 Devices, Ltd. through an agreement executed on  
21 November 8, 2007.

22 Q. Between January 1, 1995 and November 7,  
23 2007, did Hitachi, Ltd. have the ability to remove  
24 officers or directors at Shenzhen SEG Hitachi Color  
25 Display Devices, Ltd.?

1 A. No.

2 Q. Between January 1, 1995 and November 7,  
3 2007, did Hitachi, Ltd. have the ability to appoint  
4 officers or directors at Shenzhen SEG Hitachi Color  
5 Display Devices, Ltd.?

6 A. From January 1, 1995 to September 30,  
7 2002, as a minority shareholder, Hitachi, Ltd. had  
8 the ability to appoint three of the seven members of  
9 Shenzhen SEG Hitachi Color Display Devices, Ltd.'s  
10 board of directors. From October 1, 2002 through  
11 November 7, 2007, Hitachi, Ltd. did not have the  
12 ability to appoint any members of Shenzhen SEG  
13 Hitachi Color Display Devices' board of directors.

14 Q. Between January 1, 1995 and November 7,  
15 2007, did Hitachi, Ltd. have the ability to hire  
16 employees at Shenzhen SEG Hitachi Color Display  
17 Devices, Ltd.?

18 A. No.

19 Q. Between January 1, 1995 and November 7,  
20 2007, did Hitachi, Ltd. have the ability to fire  
21 employees at Shenzhen SEG Hitachi Color Display  
22 Devices, Ltd.?

23 A. No.

24 Q. Between October 1, 2002 and November 7,  
25 2007, did Hitachi Displays, Ltd. have the ability to



1 remove officers or directors at Shenzhen SEG Hitachi  
2 Color Display Devices, Ltd.?

3 A. From October 1, 2002 to November 7, 2007,  
4 as a minority shareholder, Hitachi Displays had the  
5 ability to remove three of the seven members of  
6 Shenzhen SEG Hitachi Color Display Devices, Ltd.'s  
7 board of directors. It did not have the ability to  
8 remove any officers.

9 Q. Between October 1, 2002 and November 7,  
10 2007, did Hitachi Displays, Ltd. have the ability to  
11 appoint officers or directors at Shenzhen SEG Hitachi  
12 Color Display Devices, Ltd.?

13 A. From October 1, 2002 to November 7, 2007,  
14 as a minority shareholder, Hitachi Displays, Ltd. had  
15 the ability to appoint three of the seven members of  
16 Shenzhen SEG Hitachi Color Display Devices, Ltd.'s  
17 board of directors, but did not have the ability to  
18 appoint officers.

19 Q. Between October 1, 2002 and November 7,  
20 2007, did Hitachi Displays, Ltd. have the ability to  
21 hire employees at Shenzhen SEG Hitachi Color Display  
22 Devices, Ltd.?

23 A. No.

24 Q. Between October 1, 2002 and November 7,  
25 2007, did Hitachi Displays, Ltd. have the ability to

1 fire employees at Shenzhen SEG Hitachi Color Display  
2 Devices, Ltd.?

3 A. No.

4 Q. During the relevant period, did Shenzhen  
5 SEG Hitachi Color Display Devices, Ltd. manufacture  
6 CRTs?

7 A. Yes.

8 Q. During the relevant period, did Shenzhen  
9 SEG Hitachi Color Display Devices, Ltd. sell CRTs?

10 A. Yes.

11 Q. During the relevant period, did Hitachi,  
12 Ltd. have the ability to direct Shenzhen SEG Hitachi  
13 Color Display Devices, Ltd. to increase or decrease  
14 production quantity levels for the CRTs manufactured  
15 by Shenzhen SEG Hitachi Color Display Devices, Ltd.?

16 A. No.

17 Q. During the relevant period, did Hitachi,  
18 Ltd. have the ability to direct Shenzhen SEG Hitachi  
19 color display devices to increase or decrease prices  
20 for the CRTs sold by Shenzhen SEG Hitachi Color  
21 Display Devices, Ltd.?

22 A. No.

23 Q. During the relevant period, did Hitachi,  
24 Ltd. have the ability to determine or modify  
25 budgetary decisions made by Shenzhen SEG Hitachi



C E R T I F I C A T E

STATE OF FLORIDA:

COUNTY OF MIAMI-DADE:

I, BEVERLY BOURLIER JAMES, a Notary Public for the State of Florida at Large, hereby certify that I reported the deposition of PATRICK BARRETT; and that the foregoing pages constitute a true and correct transcription of my shorthand report of the deposition by said witness on this date.

I further certify that I am not an attorney or counsel of any of the parties, nor a relative or employee of any attorney or counsel connected with the action nor financially interested in the action.

WITNESS my hand and official seal in the State of Florida, this 4th day of November, 2014.

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BEVERLY BOURLIER JAMES

Registered Professional Reporter

Certified Realtime Reporter

Certified LiveNote Reporter

Florida Professional Reporter

NCRA Realtime Systems Administrator